

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 1995-1192-E**

IN RE: Proceeding for Approval of the Public)
Utility Regulatory Policies Act of 1978)
(PURPA) Avoided Cost Rates for)
Electric Companies)
)
)

**PETITION
TO
INTERVENE**

Duke Energy Carolinas, LLC and Duke Energy Progress, LLC, (hereinafter together as, the “Company”) filed an Application in this Docket on November 30, 2018. Thereafter, on January 3, 2019 the Company’s counsel proposed a procedural schedule that was accepted by this Commission by its Directive Order No. 2019-6-H, dated January 3, 2019. The Company’s Application requests approval of updated Standard Offer Avoided Cost Rates and Tariffs.

Petitioner herein is South Carolina Solar Business Alliance, Inc., (“SCSBA” or “Petitioner”). This Petition to Intervene is filed pursuant to R. 103-825, of this Commission’s Rules and Regulations and other applicable Rules and Regulations of this Commission, and Petitioner seeks permission to intervene and be made a party of record in the above-referenced Docket, with full rights of participation.

PETITIONER

1. SCSBA is a Public Benefit Non-Profit Corporation, by a conversion filing on May 17, 2017, with the South Carolina Secretary of State’s office, originally organized on October 21, 2009, pursuant to Chapter 44 of Title 33 of the South Carolina Code of Laws and, since that date, remaining in good standing with the South Carolina Secretary of State.

2. SCSBA's principal place of business is currently co-located with that of Southern Current LLC at 1519 King Street Extension, Charleston, South Carolina 29405 and SCSBA’s mailing address is currently co-located with that of the Hannah Solar Government Services, LLC at 1090 Jack Primus Road, Charleston, South Carolina, 29492.

3. SCSBA is organized for the purpose of promoting and advocating public policy positions supportive of solar power generation in South Carolina.

4. SCSBA is a Public Benefit Non-Profit Corporation, whose Board Members are the following individuals, all of whom conduct solar energy-related business in South Carolina under the company names indicated:

- a. Bret Sowers (Southern Current LLC);
- b. Jarrett Branham (Alder Energy Systems, LLC);
- c. Johnny Bagley (Hannah Solar Government Services, LLC);
- d. Andrew Barrier (PineGate Renewables);
- e. Steffanie Dohn (Southern Current LLC);
- f. Tyson Grinstead (Sunrun Inc.); and
- g. Tyler Norris (Cypress Creek Renewables).

5. SCSBA's Trade Members includes solar energy developers, engineering procurement and construction, contractors, professional service firms, equipment distributors and equipment manufacturers engaged in the business of solar energy generation in South Carolina and across the nation. All of SCSBA's Board Members' companies maintain offices in South Carolina.

6. SCSBA's Trade Members are financially impacted by the Company's Application, as is outlined in more detail herein and SCSBA has substantial business interests in South Carolina. Therefore, the decision to be rendered by this Commission is important to the Petitioner, SCSBA from a financial and business standpoint, as is outlined in more detail hereinbelow.

7. Therefore, SCSBA is financially impacted by this Commission's decision on the Company's Application for approval of updated Standard Offer Avoided Cost Rates and Tariffs, as is outlined in more detail hereinbelow.

8. Specifically, Petitioner, SCSBA's Trade Members conduct business with the Company and Petitioner, SCSBA has material interest in the subject matter of this Docket.

9. This Commission will render the decision on the Company's Application which was filed pursuant to S.C. Code Ann. Section 58-3-140 (1976, as amended).

10. Petitioner's position is that Petitioner, SCSBA has a direct and substantial interest in the decision to be rendered by this Commission in this Docket and Petitioner's interests cannot be adequately addressed by any other party. Petitioner's further position is that Petitioner, SCSBA will be impacted by this Commission's decision, outlined hereinabove. Therefore, the decision of this Commission is important to the Petitioner and its Trade Members from a financial standpoint and Petitioner's Intervention will aid this Commission, by assisting in the development of a full and fair record to render the important decision in this Docket. As shown above, Petitioner has a direct and material interest in this Commission's decision and Petitioner's interests are not adequately represented by the current parties in this Docket.

11. Petitioner should be allowed to intervene in this Docket, with full rights of cross-examination, discovery and participation in any Hearing to be scheduled in this Docket. This Petition is timely filed.

12. Furthermore, Petitioner's Intervention is consistent with this Commission's long standing policy, "...in encouraging maximum public participation in issues before the Commission, and [Intervention] [is] allowed so that a full and complete record addressing...views and concerns can be developed." (Order No.: 2005-725, in Docket No.: 2005-270-G, dated December 16, 2005).

13. Petitioner should be allowed to intervene in this Docket, with full rights of cross-examination, discovery and participation in any Hearing to be scheduled in this Docket.

14. The granting of SCSBA's Petition to Intervene is (i) in the public interest (ii) consistent with the policies of this Commission in encouraging maximum public participation in issues before it and intervention should be allowed so that a full and complete record addressing its views and concerns can be developed and (iii) contemplated in this Commission's Order 2005-725.

15. Petitioner, SCSBA has previously received approval for intervention from this Commission on numerous occasions, including Commission Docket 2015-362-E, Docket 2015-8-E, Docket 2016-2-E, Docket 2016-1-E, Docket 2016-3-E, Docket 2016-9-E, Docket 2016-8-E, Docket 2016-10-E, Docket 2017-2-E, Docket 2017-1-E, Docket 2017-3-E, Docket 2017-305-E, Docket 2017-370-E, Docket 2018-2-E, Docket 2018-3-E, Docket 2018-202-E, Docket 2018-320-E, Docket 2018-10-E, Docket 2018-318-E, Docket 2018-319-E and Docket 2019-2-E.

16. SCSBA is represented by counsel in this proceeding:

Richard L. Whitt,
AUSTIN & ROGERS, P.A.
508 Hampton Street, Suite 203
Columbia, South Carolina 29201
Telephone: (803) 256-4000
Facsimile: (803) 252-3679
RLWhitt@AustinRogersPA.com

WHEREFORE, Petitioner prays for the following relief:

- (a) That this Petition to Intervene be accepted and that Petitioner be made a party of record;
- (b) That Petitioner be allowed to participate fully in this proceeding and take such positions as it deems advisable; and
- (c) For such other and further relief as is just and proper.

Respectfully Submitted,
/s/Richard L. Whitt
AUSTIN & ROGERS, P.A.
508 Hampton Street, Suite 203
Columbia South Carolina, 29201
(803) 256-4000

February 21, 2019
Columbia, South Carolina

Counsel for Petitioner, South Carolina Solar
Business Alliance, Inc.